

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

RONNIE JONES, ET AL.,

Plaintiffs,

V.

CITY OF BOSTON, ET AL.,

Defendants.

CIVIL ACTION

NO. 05-11832-GAO

HEARING REQUESTED

**PLAINTIFFS' MOTION TO STRIKE THE
AFFIDAVIT OF WILLIAM THISTLE**

Plaintiffs Ronnie Jones, Richard Beckers, Walter Washington, William Earl Bridgeforth, Shawn N. Harris, Eugene Wade George C. Downing, Jr., Clararise Bristow, Rachelle Couch, Keri Hogan, and the Massachusetts Association of Minority Law Enforcement Officers, (together referred to herein as the “Plaintiffs”) hereby move, pursuant to Rules 12(f) of the Federal Rules of Civil Procedure and Local Rule 7.1(b)(2), for an Order striking the affidavit of Psychomedics’s General Counsel William Thistle (the “Thistle Affidavit”) submitted by Psychomedics in support of its Opposition to Plaintiffs’ Motion to Compel Psychomedics Corporation to Produce its Standard Operating Procedures for Testing Hair Samples for Drugs of Abuse (“Psychomedics’s Opposition to the Motion to Compel”). In the alternative, Plaintiffs request that the Court disregard the Thistle Affidavit. In either event, Plaintiffs ask that the court strike all references to the content of the Thistle Affidavit from Psychomedics’s Opposition to the Motion to Compel. The grounds for this motion are set forth in the accompanying memorandum of law. Further, Psychomedics should be ordered to pay the Plaintiffs’ costs, including attorneys’ fees, incurred in bringing this Motion, in an amount to be determined upon submission of an affidavit setting forth such costs.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(D), plaintiffs respectfully request a hearing on this motion.

CERTIFICATION PURSUANT TO RULE 7.1(A)(2)

I, Robert B. Baker, counsel for the plaintiffs, hereby certify pursuant to Local Rule 7.1(A)(2) that I spoke with J. Allen Holland, Jr., counsel for Psychomedics, prior to filing this motion in an attempt to resolve the issues in dispute, and that we were unable fully and completely to resolve our disagreement.

Respectfully submitted,

Ronnie Jones, Richard Beckers, Walter Washington, William Earl Bridgeforth, Shawn N. Harris, Eugene Wade George C. Downing, Jr., Clararise Bristow, and the Massachusetts Association of Minority Law Enforcement Officers,

By their attorneys,

/s/ Robert B. Baker

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Dated June 15, 2007

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CERTIFICATE OF SERVICE

I hereby certify that, on June 15, 2007, a true copy of the above document was served upon the attorney of record for each other party and counsel for Psychemedics, J. Allen Holland, Jr., electronically via the ECF/CM.

/s/ Robert B. Baker